

## REMARKS/ARGUMENTS

This Amendment is submitted in response to the first Official Action of September 27, 2006. Reconsideration and allowance based upon the foregoing amendments and these accompanying remarks are respectfully requested.

The claims, as filed, were directed to an implantable medical tissue stimulating device that comprised an electric pulse generator in a first housing, a battery supply in a second housing and means for releasably coupling the first and second housing members to one another. The Examiner found the Kraska et al. Patent 4,010,760 and rejected all claims under 35 U.S.C. §102(b). This rejection was entirely appropriate given the scope of the claims as originally filed.

By the present amendment, the claims have been significantly narrowed in a way that patentably defines over the cited Kraska et al. '760 patent. Newly added claim 8 includes as limitations the particular interconnecting structure for mating the battery housing with the pulse generator housing which is altogether different from what is disclosed in the cited '760 patent. Whereas the device of the '760 patent requires a special tool for securing a screw 32 in the battery compartment with a threaded bore 34 in the pulse generator compartment, applicants' arrangement allows the mating of the battery housing with the pulse generator housing without having to use a tool of any kind. This is an advantage in an operating room setting where the implanting surgeon need not have to fumble with a screw and a separate tool needed to drive the screw.

The desired result is achieved by incorporating threads on the mating female socket and a conductive terminal member where the pitch of the threads is such that rotation of the pulse generator housing relative to the battery housing through approximately 90 degrees brings the first and second housing members together in a coplanar relationship, at which point electrical contact is established between the battery power supply and the pulse generator circuitry.

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The Examiner is respectfully requested to conduct a further search directed to newly added independent claim 8 and to issue a Notice of Allowance if such further search fails to develop more pertinent prior art.

Respectfully submitted,

NIKOLAI & MERSEREAU, P.A.

A handwritten signature in black ink, appearing to read "T. Nikolai", is written over the printed name and registration number.

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### CERTIFICATE OF MAILING

I hereby certify that the foregoing Amendment filed in response to the Official Action of September 17, 2006, in application Serial No. 10/643,639, filed on August 19, 2003, is being deposited with the U.S. Postal Service as First Class mail in an envelope addressed to: Mail Stop Non-Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, postage prepaid, on December 12, 2006.

Date of Signature: December 12, 2006.

  
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